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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,226	12/15/2003	Kye Nam Lee	40296-0054	8682

26633 7590 07/25/2005

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EXAMINER

CHEN, ERIC BRICE

ART UNIT	PAPER NUMBER
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1765

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/734,226

Applicant(s)

LEE ET AL.

Examiner

Eric B. Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/2/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
4. Claims 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ying (U.S. Patent No. 6,759,263), in view of Abraham et al. (U.S. Patent No.

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6,452,764), in further view of Wolf, *Silicon Processing for the VLSI Era*, Vol. 4, Lattice Press (2002).

5. As to claim 1, Ying discloses a method for manufacturing MTJ cell of magnetic random access memory (MRAM) (column 1, lines 8-12) comprising: forming a stacked structure (202) (column 3, lines 12-13; Figure 2A) of a pinned magnetic layer (210) (column 3, lines 25-26; column 12, lines 18-21), an alumina layer (208) (column 3, lines 21-23) and a free magnetic layer (206) (column 3, lines 14-15); forming a hard mask layer (218/230) (column 3, line 52-54) on the stacked structure (column 3, lines 47-50; Figure 2B); patterning the hard mask (218/230) layer via a photoetching process (column 4, lines 9-18) using a MTJ cell mask to form a hard mask layer pattern exposing a portion of the free magnetic layer (Figure 2F); and oxidizing the exposed portion of the free magnetic layer (column 5, lines 10-20); and patterning a MTJ cell by etching the stacked structure (column 7, lines 23-30).

6. Ying does not expressly disclose subjecting the exposed portion of the free magnetic layer to a halo ion implant process. Abraham teaches a method for manufacturing MTJ cell of magnetic random access memory (MRAM) (column 10, lines 1-7; Figure 13A), including oxygen ion implantation of the structure (column 10, lines 7-10) to increase the insulative characteristics on the sides of the tunneling region (column 10, lines 22-24) and reduce undesirable effects, such as the non-ideal behavior in the magnetization reversal process (column 3, lines 24-27, lines 42-47). Wolf teaches a method of halo implantation for a self-aligned MOS structures, in which the implant step is performed at a

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high angle relative to the substrate to implant ions at a precise depth and lateral distance from the gate (pages 7-8). For self-aligned MOS structures, the metal gate inherently functions as a mask and is thus analogous to Ying's hard mask (218/230). See Streetman, *Solid State Electronic Devices*, Prentice Hall (1990), page 323. Thus, a halo implant permits the implantation of ions laterally from the edge of the hard mask. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to subject the exposed portion of the free magnetic layer to a halo ion implant process. One who is skilled in the art would be motivated to reduce undesirable effects in MRAM devices by increasing the insulative characteristics on the sides of the tunneling region. Furthermore, one who is skilled in the art would be motivated to ion implant laterally under the edge of the hard mask in a precise manner when increasing the insulative characteristics on the sides of the tunneling region.

7. Claims 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ying, in view of Abraham, in further view of Wolf, in further view of Hook et al. (U.S. Patent No. 6,083,794).

8. As to claim 2, Ying does not expressly disclose that the halo ion implant process is performed in a manner that a tilt angle ranges from 0 to 90 degrees and a ion is implanted from four directions. However, Hook teaches that to achieve symmetry during ion implantation, angled ion implantation is applied in four rotations (column 1, lines 21-29; column 2, lines 1-2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to performed the halo ion implant process in a manner that a tilt angle

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ranges from 0 to 90 degrees and a ion is implanted from four directions. One who is skilled in the art would be motivated to achieve a symmetrical ion implantation profile.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric B. Chen whose telephone number is (571) 272-2947. The examiner can normally be reached on Monday through Friday, 8AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine G. Norton can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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EBC

July 14, 2005

EBC

NADINE G. NORTON  
SUPERVISORY PATENT EXAMINER

Nadine Norton